

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	Case No. 3:18-CR-11
v.)	
)	By: Michael F. Urbanski
JAMES ALEX FIELDS, JR.,)	Chief United States District Judge
Defendant)	

ORDER

This case is before the court on two motions regarding payment of defendant James Alex Fields, Jr.'s monetary penalties. ECF Nos. 76, 79. As part of the criminal proceedings in this case, Fields was ordered to pay a \$2,900.00 special assessment, a \$2,900.00 fine, and non-federal restitution in the amount of \$75,800.04. Fields was ordered to pay 25 or 50 percent of his income while incarcerated toward the obligation. As of December 21, 2022, Fields had made six payments of \$25.00, and one payment of \$79.00. Payment History, ECF No. 76-4.

The government has learned that Fields has \$759.86 in his Bureau of Prisons (BOP) trust account, with the money having been transferred to him from individuals outside the prison. Inmate Detail Report, ECF No. 76-5. The warden of Fields' facility has encumbered \$759.86 of the funds in the trust account pending resolution of this motion, and the government seeks entry of an order authorizing the BOP to turn over \$650.00 of the funds to go toward Fields' outstanding criminal monetary penalties.

On January 23, 2023, Fields filed a motion seeking to reduce the payment requested by the government. ECF No. 79. Fields asks that he be allowed to pay \$298.00 toward the amount he owes, rather than the \$650.00 sought by the government. He advises that he owes \$300.00

in “institutional fines” and that he is paying \$54.00 per month toward that debt. He argues that if the amount of \$650.00 is deducted from his trust account he will not be able to pay the institutional obligation. Fields acknowledges that the government is not seeking the entire \$759.86 in his account but is leaving some money so that he can make phone calls and buy stamps and sundry items.

Because the nature of the “institutional fines” that Fields is obligated to pay is unclear, the court **ORDERS** the government to inquire as to what additional financial responsibilities Fields may have to the BOP and to so advise the court. The court further **ORDERS** the government to respond to Fields’ motion and advise whether it is opposed to an order requiring Fields to pay \$298.00 rather than \$650.00, in light of Fields’ other financial obligations. The government’s response is due **15 days** after entry of this order. Any reply by Fields is due **15 days** after his receipt of the government’s reply.

It is so **ORDERED**.

Entered: 02-06-2023

A handwritten signature in blue ink, appearing to read "M. Urbanski", written over a horizontal line.

Michael F. Urbanski
Chief United States District Judge